

REMARKS

Applicants respectfully request reconsideration and allowance in view of the foregoing amendment and the following remarks. Applicants amend claims 1, 12, and 32 without prejudice or disclaimer.

Rejection of Claims 32-37 and 42-43 Under 35 U.S.C. §112

The Office Action rejects claims 32-37 and 42-43 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicants traverse this rejection and submit that the specification inherently discloses computer-readable media. By disclosing in a patent application a device that inherently performs a function or has a property, operates according to a theory or has an advantage, a patent application necessarily discloses that function, theory or advantage, even though it says nothing explicit concerning it. The application may later be amended to recite the function, theory or advantage without introducing prohibited new matter. *In re Reynolds*, 443 F.2d 384, 170 USPQ 94 (CCPA 1971); *In re Smythe*, 480 F. 2d 1376, 178 USPQ 279 (CCPA 1973). MPEP 2163.07(a). The specification in this case discloses examples of computer-readable media such as CD-ROMs and floppy disks. Further, FIG. 7 and numerous locations in the specification refer to a CPU 40 which reads data from a reference identifier database 35 which must inherently be stored in a computer-readable medium. Accordingly, Applicants submit that the specification necessarily discloses computer-readable media even though it does not include those exact words. Applicants respectfully request that this rejection be withdrawn.

Rejection of Claims 1-4, 12-15 and 28-37 Under Section 102

The Final Office Action and Advisory Action reject claims 1-4, 12-15 and 28-37 under 35 U.S.C. §102(e) in view of Galler et al. (U.S. Patent No. 5,991,720) (“Galler et al.”).

Applicants amend claim 1 to further recite that the user speech input comprises at least one non-letter, non-number typographical character. The specification provides support for this amendment in paragraphs [0019] and [0023], which state “The term ‘identifier’ refers to any arrangement of letters, numbers, or other typographical characters, regardless of whether such an arrangement comprises an actual word or a non-word.” Some non-limiting examples of non-letter, non-number typographical characters include “@”, “.”, “*”, and “-”. By including such non-typographical characters, a user can provide an email address (which includes non-letter, non-number typographical characters) as speech input, for example, instead of being limited to a strictly alphanumeric username. Applicants submit that Galler et al. do not teach or suggest this limitation.

Galler et al. teach one embodiment designed to recognize continuously spelled names comprising a sequence of letters. Galler et al., col. 5, lines 64-67. The following sequence of letters is one example of this: “H-A-N-S-O-N”. Galler et al., col. 6, lines 1-9. Further, Galler et al. teach that the speech recognizer identifies each of the letters uttered and looks up the spelled names by alignment of the sequence of letters with the dictionary. Galler et al., col. 2, lines 14-19. In other words, Galler et al. relies on a dictionary of acceptable letter sequences such as words or recognized surnames. The principles and design of Galler et al. teach away from using non-letter, non-number typographical characters because such typographical characters would not be found in a dictionary of acceptable letter sequences. Galler et al. suggest as much when they teach that the invention splits the acoustic speech data into two or more paths that are each handled differently. One path is processed using a first grammar network based on the

assumption that only useful utterances (e.g., letters) are supplied. Another path is processed using a different grammar network that assumes extraneous, nonuseful speech precedes the useful speech. The different grammar networks thus result in different segmentation of the data. Galler et al., col. 2, lines 57-65. The acoustic speech data is split into two portions: letters and other speech that is assumed to be “extraneous, nonuseful speech.” Galler et al. go on to teach that if extraneous speech is present, the grammar network identifies and rejects the extraneous speech. Galler et al., col. 3, lines 26-32. Inasmuch as Galler et al. would consider the non-letter, non-number typographical characters recited in claim 1 as nonuseful speech and consequently reject them, Applicants submit that not only do Galler et al. not teach or suggest this limitation, Galler et al. teach directly away from it.

For these reasons, Applicants submit that claim 1 and its dependent claims are patentable over Galler et al. Applicants amend claims 12 and 32 to recite limitations similar to those found in claim 1 and likewise submit that claims 12 and 32 and their dependent claims are also patentable over Galler et al. Applicants respectfully request that the rejection under 35 U.S.C. §102 be withdrawn.

Rejection of Claims 38-43 Under 35 U.S.C. §103(a)

The Office Action rejects claims 38-43 under 35 U.S.C. §103(a) as being unpatentable over Galler in view of Kanevsky et al. (U.S. Patent No. 5,897,616) (“Kanevsky et al.”). Applicants submit that claims 38-43 are patentable inasmuch as they depend from base claims which are patentable as set forth above and recite additional limitations therefrom. Accordingly, Applicants respectfully request that the rejection be withdrawn.

CONCLUSION

Having addressed all rejections and objections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druce & Quigg, LLP**, Account No. 14-1437 for any deficiency or overpayment.

Respectfully submitted,

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